1999

ANNUAL REPORT

Environmental Advisory Council

Prince Edward Island
Environmental
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June 14, 2000

Hon. Kevin MacAdam, Minister
Department of Fisheries, Aquaculture & Environment
P.O. Box 2000
Charlottetown, PE C1A 7N8

Dear Mr. MacAdam:

In accordance with the requirements of the Environmental Protection Act, I have the honour of presenting the Annual Report of the Environmental Advisory Council.

This report covers the period of January 01, 1999 to December 31, 1999.

Respectfully submitted,

Leon F Loucks

Dr. Leon Loucks
Chairperson

Attachment

Advising the Minister of Fisheries, Aquaculture & Environment

ENVIRONMENTAL ADVISORY COUNCIL

1999 ANNUAL REPORT

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INTRODUCTION

The Environmental Advisory Council is a group of individuals appointed by the Lieutenant Governor in council to advise the Minister of Fisheries, Aquaculture & Environment on environmental matters. Council members do not receive financial compensation other than travel expenses. In 1999, the council membership consisted of twelve members in the period January - June; and nine members through December.

The Environmental Advisory Council was established in 1987, as recommended by the Provincial Conservation Strategy. The primary responsibility of the council is to provide advice to the Minister of Fisheries, Aquaculture & Environment on environmental issues.

Secretarial services for the council are provided by staff of the Department of Fisheries, Aquaculture & Environment.

ENVIRONMENTAL ADVISORY COUNCIL TERMS OF REFERENCE

Section 4(2) of the Environmental Protection Act sets out the council's responsibilities. The Act provides that:

The Council shall:

- ***(a) serve as an advisory board to the Minister of the Department of Fisheries, Aquaculture & Environment;***
- ***(b) perform such functions as may be prescribed by regulations.***

The mandate for the Environmental Advisory Council as prescribed by the Act is somewhat vague in order to be all encompassing. In discussions with the Minister, council was advised that he felt that nothing of an environmental nature should be out of bounds for the council to investigate.

To better define the Environmental Advisory Council mandate, the following terms of reference were developed by the council and subsequently approved by the Minister:

1. To advise the Minister of the Department of Fisheries, Aquaculture & Environment on matters referred to it by him or the public under the Environmental Protection Act.

2. To report annually to the Minister on submissions received, research conducted, investigations undertaken and recommendations made under the Environmental Protection Act.

3. To advise the Minister on environmental matters related to activities in relation to the Provincial Conservation Strategy.

4. To make recommendations to the Minister on conservation or environmental improvement awards.

5. To make recommendations to the Minister respecting opportunities for environmental improvement or protection programs or projects.

6. To recommend to the Minister public education projects or programs.

7. To make recommendations to the Minister respecting support for community, private and non-government programs and projects.

8. To advise the Minister on legislative proposals as they relate to environmental protection and enhancement.

9. To advise the Minister on such matters as he may direct.

10. To perform such functions as may be provided by regulations under Subsection 4(2)(b) of the Act.

GENERAL COMMENTS

The Environmental Advisory Council had a very active year in 1999 particularly with regard to tracking the progress of Government Departments' responses to recommendations of the Round Table on Resource Land Use and Stewardship and on the Report of the Action Committee on Agricultural Runoff Control. Council was generally pleased with the cooperation of most Government Departments in providing the information necessary to properly evaluate the progress of Government in responding to the recommendations.

A separate section of this report details council's assessment of the progress that Government has made in responding to the recommendations of the Round Table on Resource Land Use and Stewardship. The analysis of Government's response to the Action Committee report is ongoing and council intends to produce a report detailing council's assessment of this response in the year 2000.

Council convened ten times during 1999 and discussed a myriad of environmental issues and concerns. In addition to internal deliberations council members were indeed fortunate in that they were fully briefed on several areas of environmental concerns which were of particular interest to council. Representatives from various Government Departments and Government agencies were

very cooperative in providing council with the necessary information to assist council in their deliberations and in arriving at a consensus of how to address some of the environmental issues considered during the year.

Council was also pleased that the Minister was able to attend four meetings and fully brief council on Government activities impacting on the environment. Most meetings were attended by Senior Departmental Management who were also able to update council on Departmental activities and initiatives. A list of council's guests during 1999 follows as well as the issue discussed by the guest(s).

MEETING	GUESTS	ISSUE DISCUSSED
March	Rory Francis Richard Veinot Jerry Gavin	The response of the Department of Agriculture & Forestry to the Round Table Recommendations
April	Clair Murphy Arthur Smith George Somers	The response of the Department of Technology & Environment to the Round Table Recommendations
June	Environmental Award Winners & Guests	
September	Carl Willis	Update on the deliberations of the Action Committee on Agriculture Runoff Control
October	Jim Young	Sewage treatment on PEI
November	Don Jardine	Discussions on Draft Waste Management Regulations
December	Cleve Myers Dave Barrett	Island Waste Management Corporation blueprint for waste management on PEI

In addition to these monthly meetings sub-committee meetings dealing with council business were convened several (approximately 10) times during the year.

Council presented a brief to the Standing Committee on Agriculture, Forestry and Environment in April on the draft Forest Contractors Code of Practise Regulations. This brief is included in its entirety in this Annual Report.

Government's response to the Round Table recommendations have resulted in notable improvements in some resource sectors; however, in other areas, notably in the forestry sector, council is extremely disappointed in Government's lack of leadership in managing our forest resources. Government continues to avoid the responsibility of managing the industry in a manner which will ensure sustainable and ecologically healthy forests for future generations of Islanders.

The failure of Government to introduce waste watch Island wide in a timely manner is also a disappointment to council. Council sincerely hopes that the seeming reluctance of Government to address these issues is not symptomatic of a lack of commitment from Government to make the sometimes difficult decisions required to ensure a healthy sustainable environment for present and future generations of residents and visitors alike.

LAND STEWARDSHIP

The issue of proper land stewardship and sustainable management of our natural resource sectors continued in the forefront of council's deliberations in 1999. Government has made some progress, particularly in the area of the protection of aquatic habitat through the passage of buffer zone regulations pursuant to the Environmental Protection Act. Despite progress in some areas council questions whether Government is prepared to make the really tough decisions which are necessary. Evidence of this approach was government's refusal to implement the Forest Contractor's Code of Practise Regulations. The proposed code was not perfect but at least it was a beginning and could have been fine tuned at a later date to make it a very useful piece of legislation. Government has chosen to do nothing to stop the continued rape of Island wood lots which will inevitably lead to the collapse of our forest industry. In addition the continued exploitation of our forest habitat will undoubtedly have significant negative impacts on wildlife populations and could impact on other resource sectors as well.

The following section is essentially the complete **brief to the Standing Committee on Agriculture, Forestry and Environment** as presented in March, 1999 and which deals with council's views on the proposed Forest Contractors Code of Practise Regulations. Interested readers may wish to consult the 1998 Environmental Advisory Council Annual Report which includes a brief to the Standing Committee (page 4-12) dealing in considerable detail with council's views on sustainable forest management and proper stewardship of our natural resources. The failure of Government to act in any meaningful manner to ensure biodiversity and sustainability in our forest sector cannot be condoned.

Introduction:

Thank you for the opportunity to present our views to your committee. My name is Leon Loucks and I am the Chair of the Environmental Advisory Committee. The other council member present with me to make this presentation is Vice-Chair Lorne MacNeill. I am a retired Professor of Chemistry, living in Charlottetown and Lorne is a Farmer from West Cape.

We come before you today to express our thoughts on the Forest Contractors Code of Practise Regulations that have been proposed. We will set out for you, points where we agree in principle with the proposed regulations and then we will proceed to point out areas where we disagree and we will suggest ways that the regulations could be improved.

Worthy Regulations:

The Environmental Advisory Council has studied the proposed regulations and is knowledgeable about environmental issues surrounding forestry operations. The council agrees with the general

intention of the regulations and is strongly supportive of measures that will manage the industry. We see a healthy and sustainable forest to be essential to wildlife, biodiversity, healthy streams, tourism, and the general public good. In contrast, slashed wood-lots cut in an irresponsible manner scar the landscape, ruin streams, devastate fish and wildlife, and leaves the public without pride in their surroundings. Many measures in the proposed regulations will stem such problems.

As forest harvest is predominately by contractors in PEI, the regulations which will manage the operations of the forest contractors will doubtless have a favorable impact on forest management and we commend Government for the approach being pursued. The current practice by some contract harvesters is harming the environment; many of these poor practices will be eliminated by the regulations that are proposed.

The efforts of the regulations to limit the harvesting of immature stands must be maintained. It is clearly evident to even the casual observer that immature wood is being taken and the potential yields of forests are not achieving anywhere close to their maximum. Yet at the same time the regulations properly allow for the harvesting of forests that are not wind firm, are diseased or insect damaged, or have insufficient live crown; these are good and sufficient reasons for harvesting before a minimum age requirement. As well we favor the allowance for harvesting when land is in conversion to another use which should intensify the productivity.

The introductory guiding principles of the regulations outline how the forest is a renewable resource dependent on stewardship and sustainable management. While we applaud the stated principle, we find not enough evidence of its incorporation into the regulations.

The inclusion of buffers beside all streams is a notable improvement introduced in the latest version of the regulations and we commend this important feature that will do much to improve the fish and wildlife habitat and reduce the land erosion. The exclusion of heavy equipment from the buffer is a needed addition to make this feature consistent with Bill 14 which is before the House.

We support the limitation in the amount of rutting that will be tolerated in harvest operations and we will propose later that more such specifications of practice should be included in these regulations.

The requirement for an offer of written contract by the forest harvester to the land owner is an important advance in the business end of the forest industry. We support this regulation.

Insufficiencies in the Regulations:

In our reading of the proposed regulations we have noted a number of weaknesses and omissions. We wish to bring these to your attention along with our recommendations for corrective measures.

The phrasing of the regulations is weak and confusing in far too many areas. The result has been misunderstanding and a variety of interpretations by various interested readers. We will only note a few cases but we recommend a careful rewrite of many sections. If landowner regulations are retained in the regulations, the term land owner needs a definition so as to distinguish whether or not a spouse, various partners in a partnership, or all shareholders of a corporation would each qualify for the two hectare harvest without becoming registered forest harvesters. The phrase 'The land owner is not obligated to follow the appropriate harvest standards' sounds like an open invitation for land owners to destroy the forest if they so wish; We understand that a land owner may use hired employees to harvest his forest, without these employees being classified as contractors, but this intention is not evident in the words of the regulations; The intent to harvest form is very confusing, at times called an application, with unexplained abbreviations and without clarity as to who fills out the form.

These regulations are clearly entitled Forest Contractors Code of Regulations. And yet within the regulations there arise restrictions that apply to land owners and compel land owners to become registered forest harvesters if they harvest more than two hectares in a year. It is not evident why it is necessary for land owners to be part of these regulations and indeed inclusion of land owner regulations seem out of place. If regulations of the land owners is required, it should be done within another set of regulations. We recommend that the regulation of land owners be deleted from these regulations.

Whether or not the sections pertaining to land owners are removed from the regulations, provision must be made for dealing with the loophole that arises when the owner is a forest contractor. The exemption of requiring land owner compliance with the regulations would promote a practice whereby forest contractors would buy forested land so as to harvest it without regulation; they could then resell the harvested land and proceed to purchase still other forested land. This loophole must be plugged.

The regulations introduce the concept of requiring harvest standards within the operations of the harvest. We already noted our agreement with setting limits to rutting. Other standards should be set. Limits should be set on the amount of merchantable product that is permitted as waste on a site. Standards for leaving snag trees and cover patches as well as restrictions on wilful damage to immature trees and littering of harvest sites need to be added.

Environmental Advisory Council

The regulations as currently proposed have not taken the opportunity to address three pertinent recommendations of the report of the Round Table on Resource Land Use and Stewardship.

Recommendation 51 seeks to promote various improvements in forest management, including strip-cutting, patch-cutting and techniques that promote natural regeneration. The regulations should be modified to incorporate standards of harvest operations that address these management styles.

Recommendation 56 seeks to introduce a system to provide for softwood harvesting controls and adequate reforestation. The Round Table looked at four methods: Harvesting Permits, Quota System, Property Tax Incentives and Regulated Code of Practise; obviously the last of these methods is intended for use. In our view it is important to bring into the regulations, features that would satisfy Recommendation 56. There is nothing at this time to restrict the unbridled harvest underway in PEI. As well, the regulations do almost nothing in regard to reforestation other than determining whether the land owner is requesting reforestation. On the matter of reforestation, the Division of Forestry offers only a single option for owners, under the Private Land Management Program, in which the landowner must sign off control to the Division. It is little wonder that reforestation lags so badly behind the need.

Recommendation 14 affirms the need to enforce the sections of the *Environmental Protection Act* that protect watercourses against contamination. We agree totally and must note regrettably that enforcement is rarely evident. Forest harvest practices may have a significant harmful impact on streams and land through contamination by silt, spillage of petroleum products and compaction of soil. We believe that the code of practice regulations should contain sections consistent with the Environmental Protection Act, to encourage the prosecution of such offences and to underscore the potential dangers of unregulated forest harvest operations to the environment.

Mr. Chairman, we wish to thank you again for the opportunity to express our views. We would be pleased to elaborate on any of the points of this brief or to respond to any questions that Committee members may have.

Environmental Advisory Council

ROUND TABLE ON RESOURCE LAND USE & STEWARDSHIP

The Environmental Advisory Council expended considerable effort in 1999 in tracking and rating the responses of the various Government Departments to the recommendations from the Round Table.

In some cases the ranking given may be subject to discussion and council is prepared to explain why any particular ranking value was assigned. The following tabular format deals with the recommendations on a Departmental basis and a quick review of the tables will demonstrate clearly that some Departments have done very well while others have not done well at all. Council believes that Government has generally moved in the right direction on the Round Table report; however, as is frequently the way with governments many of the really tough decisions are not effectively dealt with. These include those decisions which are almost guaranteed to cause at least some public furore.

Council reminds those Departments who may not agree with the rankings given, that the scores assigned are based on the information provided to us from the Department and on our understanding of the intent of the Round Table recommendations. Some Departments were very cooperative in providing us with the information necessary to assess progress while some other Departments were slower to respond which may also be reflected in their level of commitment in implementing the recommendations.

The PEI Environmental Advisory Council has completed an assessment of the various Government Department's responses to the Eighty-Seven (87) recommendations of the Round Table on Resource Land Use and Stewardship. The response to each recommendation has been grouped under the responsible Department and scored on council's assessment of each response on a scale of 0 to 3. A score of 0 indicates an insignificant or zero response with a score of 3 indicating a full response to the intent of the recommendations. A score of 1 would indicate that the Department has responded to a limited degree while a score of 2 indicates that substantial progress has been made. Please note that some of the scores have an asterisk (*) beside them for cases where council has determined that there were circumstances outside of the control of the Department which resulted in a limited response. Those recommendations designated are briefly discussed in the narrative at the end of each section.

Department - Agriculture & Forestry - Agriculture Recommendations

Rec #	Summary of Recommendation	Ranking
2	Financial Support for Environmental Farm Plans	3
3	Lt. Governor's Soil Conservation Award	3

4	Higher Priority on Research/Development for Soil Conservation	2
5	Support Efforts for Soil & Water Conservation on PEI	3
6	Increased Budget for Soil Conservation Laboratory Work	1*
7	Complete Work on Soil Erosion Risk Index	3
8	Improvements to Geographic Information System	3
9	On Ground Verification of G.I.S. Information	2
10	Increased Funding for Soil Conservation Projects	3
11	Implement Action Proposed in Livestock Strategic Plan	2
12	Use Soil Conservation Code of Practice to Improve Soil Quality	3
13	Mandatory Potato Crop Rotation	2
18	Adopt Organic Matter Content as Soil Quality Indicator	1*
19	Develop Comprehensive Soil Quality Index	2
20	Finance a Soil Quality Monitoring Network	3
23	Assistance for Proper Manure Storage Facilities	3
37	Foster Better Public Communications on Blight Control	3
38	Regulatory Methods for Late Blight Control	0*
39	Pesticide Reduction Strategy Based on IPM	3
40	New Position of Integrated Pest Management Specialist	3
41	Increased Enforcement of Pesticide Control Act	3
42	Enforce Pesticide Label Requirements	3
43	Zero Tolerance Policy for Pesticide Drift	3
44	Enhance Pesticide Certification Course	2
45	Disclose Government Plans for Genetically Modified Potatoes	3
46	Certification Program for Domestic Pesticide Vendors	0
47	Document and Report Pesticide Sales	3
48	Report Statistics on Pesticide Enforcement Activities	3
62	Create a Farm Practices Review Board	3
67	Develop Codes of Practice for Agriculture Operations	2
74	Provide incentives for Hedgerow Establishment	3

The Department of Agriculture & Forestry has made significant progress in implementing and respecting the intent of many of the recommendations assigned to the agriculture section of the Department. There are some exceptions of course and in some cases council has felt compelled to assign a low grade because of failure to implement a regulation.

In some instances there are extenuating circumstances or facts which mitigate against implementing the recommendation. The following section comprises a short description of some of those recommendations and why they weren't implemented. These recommendations are all identified with an asterisk.

Environmental Advisory Council

Recommendation No. 6 asked for increased funding for soil conservation and laboratory work. The Department has tacitly recognized the importance of this recommendation and asked for an increased budget for laboratory works. However, this was turned down through the budgetary process.

Recommendation No. 18 dealt with the adoption of organic matter content as the principal indicator of soil quality. While not complying with this request totally the Department has continued to measure organic matter content and recognizes the importance of this parameter.

Recommendation No. 38 asked for regulatory methods to control late blight. Council feels that the Department must be given a score of zero as they have done nothing to satisfy the intent of this recommendation. Nevertheless council does recognize that the Department has clearly justified why they feel that this recommendation cannot be effectively implemented.

In considering the efforts of the Department to comply with the intent of the agricultural recommendations is impressed with the efforts to date. Nevertheless there is still much work to do and the Department must continue to press forward in their efforts to ensure that agriculture in PEI can be transformed into a sustainable industry.

Department - Agriculture & Forestry - Forestry Recommendations

Rec #	Summary of Recommendation	Ranking
49	Support Development of Forestry Code of Practise	2*
50	Increase Variety of Species Grown at Forest Nursery	1
51	Additional Treatment under Private Land Management Program	1
52	Deleting Treatment From Private Land Management Program	0
53	Reduce Forest Herbicide use to a Minimum	2
54	Financial Clawback if Treated Stand Harvested Before Maturity	0*
55	Eliminate Reforestation Fees Under Certain Conditions	1*
56	Institute Softwood Harvest Controls	1*
57	Adopt Indicators for State of Forest Resource	2
78	Designation of Provincial Forests and their Management	2

Council has reviewed the responses of the Department of Agriculture & Forestry with regard to the forestry recommendations and have concluded that for many of the recommendations there has been no response or at best a minimal response. In some of these cases there are circumstances outside of the control of the Forestry Division which have prevented any meaningful responses.

Environmental Advisory Council

Recommendation No. 49 asked for the development of a Forestry Code of Practise. Despite the fact that the Forestry Division made a very real effort to implement a code, it was decided by Government that the code, as proposed, would not be implemented. Council feels that Government's decision was driven by a response to a small group of very vocal landowners and the failure to adopt the code has allowed the continued over harvest of our forest resource. Council did not agree with all aspects of the proposed Code of Practise but feel that it would have been better to implement the code and fine tune the code later. The Forestry Division deserves credit for promoting the forestry Code of Practise and in particular for putting in place a Forestry Advisory Council.

Recommendation No. 54 asked for financial clawback for premature harvest of plantations. This recommendation was ignored and in fact the Forestry Division has gone in the opposite direction on this issue.

Recommendation No. 55 asked for elimination of fees under certain conditions such as riparian zone planting. The response of the Forestry Division to this recommendation is minimal at best.

Recommendation No. 56 asking for controls to be placed on softwood harvest levels has also been greeted by at best a minimal response.

The efforts of the Department to comply with the intent of the forestry recommendations are not very impressive when looking at the scores assigned for each recommendation. Council does feel that the Forestry Division has made a real effort to improve forest management, however, the Round Table recommendations have been largely ignored.

Environmental Advisory Council

Department - Technology & Environment

Rec#	Summary of Recommendation	Ranking
14	Increase Enforcement of Laws to Protect Streams	2
16	Restrict Livestock Access to Watercourses	2*
17	No Row Crops on Land with Slope >9%	0
21	Provide Assistance to Watershed Groups	3
22	Increased Education on dangers of Household Chemicals	2
24	Research into Nitrates in Groundwater Issues	3
25	Establish Mandatory Riparian Buffer Zone	3
26	Make Dumping of Garbage on Private Land Illegal	1*
27	Close the Public Dump Sites	2*
28	Adopt Nitrates & Pesticides as Indicators of Water Quality	3
29	Island Standard for Nitrates be set at 10 mg/l	3
30	Report all Pesticides Studies in Groundwater	2
31	Measure Impact of Irrigation on Groundwater	3
32	Detailed Studies of High Volumes of Groundwater Extraction	3
33	Adopt Indicators of Surface Water Quality	2
34	PEI Standard for Suspended Solids be set at 100 mg/l	3
35	Monitor Estuarine Water Quality	2
36	Communicate Water Quality Monitoring Information to Public	2
68	Increased level of support for Island Nature Trust	1
70	Assist Watershed Groups to Protect Forest Habitats	2
71	Retain and Purchase Properties in "at risk" Watersheds	3
72	Communicate Impact of Endangered Species Designated	1
73	Hire Fulltime Fisheries and Non-Game Biologists	1
75	Review Excavation Pits Regulations	1
77	Adopt Biodiversity Indicators	1
80	Designate Six Additional Wildlife Management Areas	3
81	Designate 70 Sites as Natural Areas	2*
82	Review Provincial Lands and Identify Significant Natural Features	3

Recommendation No. 16 calling for the restriction of livestock access to watercourses has not been accomplished despite the best efforts of the Department of Technology & Environment to ensure that this would happen. The Legislative Standing Committee on agriculture, forestry and environment decided against restricting pastured livestocks' access to streams despite documentation that the practise is indeed harmful to water quality and stream habitat. The Department continues to conduct studies to determine the impact of livestock access on watercourses.

Environmental Advisory Council

Recommendation No. 26 requested that dumping of garbage on private lands be made illegal. This has not been done; however, the Department has drafted Waste Management Regulations which, if adopted would satisfy this recommendation.

Recommendation No. 27 asks that the small public dump sites be decommissioned. This has not been done but will be when the Island Waste Management Corporation implements wastewatch Island wide.

Recommendation No. 81 asks that 70 sites be designated as natural areas. While this has not been done council recognizes that those areas recently afforded protection represent a variety of ecosystems which make their designations particularly valuable, hence the ranking of 2.

The response of the Department of Technology & Environment to the Round Table recommendations is generally very good for the most part with one notable exception, specifically, hiring a fisheries biologist.

Department - Community Services & Attorney General

Rec#	Summary of Recommendation	Ranking
1	Vest responsibility for soil health and erosion control in landowner	1
58	Assist special planning areas to develop land use plans	1
59	Develop comprehensive land use plan for Kensington area	1*
61	Require undeveloped subdivision approvals to lapse after period of 2 years	2
63	Require buffers between agricultural and residential lands	1
64	Increase areas with official plans from 6% to 25%	0
65	Reduce percentage of building permits originating in unzoned areas	0
66	Track loss of class 2 & 3 agricultural lands and reduce rate of loss	1*
68	Increased level of support for Nature Trust	1
82	Review provincial lands inventory and identify significant natural features	3
85	Table annual report of the Land Use Coordinating Committee in the Legislative Assembly	0

Recommendation No. 59 requested a comprehensive land use plan for the Kensington area. Considerable effort has been expended on this; however Government has apparently chosen not to proceed at this time.

Recommendation No. 66 recommends that the Department of Community Affairs develop a

system to track the loss of class 2 and 3 agricultural land and to take the necessary steps to reduce the loss. Government through several Departments is developing a system which should provide the basic information but there is no indication to date that there is any intent to reduce the rate of loss.

The response of the Department of Community Services & Attorney General can be considered lack lustre at best. There is obviously no committment from this Department to respond in any meaningful manner to the recommendations.

Department - Transportation & Public Works

Rec#	Summary of Recommendation	Ranking
15	Ensure that the public rights of way are not cultivated	1*
83	Assign staff to respond to public requests for information on provincial lands	3
84	Adopt a "no net loss" policy for provincially owned lands	3

Recommendation No. 15 asked that Government ensure that highway rights of way are not cultivated. The Department believes that it has the power under the Roads Act to prevent cultivation; however, the Department chooses not to enforce the law. It should be noted however, that considerable improvements in ditch maintenance procedures are evident.

The Department of Transportation & Public Works has demonstrated a very real committment to respond to the Round Table recommendations and are to be commended.

Department - Provincial Treasury

Rec#	Summary of Recommendation	Ranking
60	Tax approved subdivisions on class 2 & 3 agricultural lands at commercial rates	0*
69	Amend legislation to encourage landowners to donate development rights.	3

Recommendation No. 60 asks that lands approved for sub-division and owned by Bona Fide Farmers be taxed at the commercial rate as long as the sub-division approval remains in effect. The Department of the Provincial Treasury seems to have made no response to this request, leaving the situation as it was.

Environmental Advisory Council

Council has received no explanation as to why this recommendation was not addressed.

Department - Education

Rec#	Summary of Recommendation	Ranking
87	Improve environmental education in the school system	2

Department - Tourism

Rec#	Summary of Recommendation	Ranking
76	Assess opinions of visitors and residents regarding landscape attractiveness	1
79	Public review of provincial parks	0

The rankings assigned to the recommendations directed to Tourism are self explanatory. Obviously there is no committment from this Department to respond to the recommendations in any meaningful manner.

Premier's Office

Rec#	Summary of Recommendation	Ranking
86	The Premier to assume responsibility for implementation Round Table	2

It would appear, based on the responses from a majority of Departments showing significant responses to the Round Table report, that the Premier's office has been at least in part responsible for the generally positive responses. On the other hand the totally inadequate responses from some Departments may indicate that the positive responses were more Departmental driven rather than on direction from the Premier's office. Should this be the case the ranking of 2 as assigned may be somewhat generous.

AGRICULTURE

The Department of Agriculture & Forestry has made considerable progress in 1999 in developing programs to address the sustainability of agriculture on PEI. Significant increases in the levels of support for the environmental farm plan program and increases in soil conservation funding and monitoring should prove beneficial to the agricultural industry. A quick perusal of the rankings assigned to the Agriculture section of the Department indicate that they are indeed serious in addressing the problems in agriculture. On a more sombre and worrisome note the major fish kills associated with pesticide use in the potato industry suggest that all is indeed not well down on the farm. Government must not be allowed to rest on their laurels but continue to push forward with the difficult decisions which will be required to ensure that agricultural activities do not have major negative impacts on other resource sectors.

The Department of Agriculture & Forestry are to be commended for positively responding to most of the recommendations in the Action Committee on Agricultural Runoff Control and a very good response to the Recommendations of the Round Table as well. The positive steps taken with the implementation of Buffer Zone Regulations are indeed laudable.

An increasing level of public concern regarding intensive agricultural operations is a challenge that will have to be addressed to ensure that these types of farms can be managed in an environmentally acceptable manner.

FORESTRY

Council is astounded and very disappointed with Government's continuing refusal to address the excessive harvesting levels that continue unabated in Island woodlots. As well,the conversion of forest land for agricultural use continues without regulation or limitation even in areas (such as the greater Kensington area) that have virtually no forest remaining and where wind erosion is rampant. The proposed Forest Contractors Code of Practise Regulations would at least have been a step in the right direction despite the fact that there were some inherent weaknesses in the draft regulations.

On the other side of the scale council was very pleased that Government has seen fit to protect forest stands in riparian zones and have put in place support mechanisms to encourage the establishment of healthy forested riparian zones. Government is to be commended for these initiatives.

Forest habitats are so very important for a whole host of reasons including biodiversity, wildlife productivity, watershed protection, landscape beauty for tourists and residents alike, and the

economic values of well managed woodlots to name a few. This issue is too important to be ignored and will not go away, unlike the woodlots of PEI which are indeed going away. Very soon it will be too late, surely Government must act to protect and enhance this vital resource.

TRANSPORTATION

Council continues to be impressed with improvements to road construction practises on PEI and to a lesser extent have noted improvements in highway maintenance practises as well. Council was advised of two issues which continue to be problematic in routine highway maintenance practises.

Specifically they were the seemingly unnecessary removal of trees from highway rights-of-way and the unwarranted disturbance of vegetated roadside ditches associated with routine ditch maintenance.

Both of these issues were addressed through correspondence to the Minister of Transportation & Public Works. The Minister indicated that the Department would continue to work diligently to educate maintenance supervisors and indeed all employees on the necessity of ensuring that their activities are environmentally responsible.

Council is of the opinion that while the Department is sincere in their efforts to educate their employees, education is a never ending process and must be emphasized repeatedly.

ENVIRONMENT

Council was well briefed on many important environmental issues by the Minister and by senior managers in the Environment section of the Department.

Deliberations on exports of fresh water were held and after considerable discussion a recommendation on water exports was formulated and forwarded to the Minister for his consideration. Briefly council advised the Minister that bulk exports of freshwater would not be in the best interest of PEI or indeeed Canada.

The actual recommendations to the Minister on water exports and large scale extractions follow in point form.

1. That the sale of bulk water be prohibited.
2. That the harvesting of ground water for the sale of bottled water be strictly regulated for

the quantities that are pumped in each private sector operation.

3. That the growth of operations in this sector be restricted and carefully controlled.
4. That hydrological monitoring and research must accompany each major pumping operation.
5. That the Province implement quality standards to which all bottled water must adhere (such is not the case elsewhere in Canada).
6. That a modest tax (or royalty) be applied to all pumping operations above a specified annual quantity (private sector and public sector).

An environmental concern expressed by some council members was related to the levels of pesticide and chemical fertilizer used on Island golf courses. Information on the application of pesticides and fertilizers on PEI golf courses was obtained from the Department of Agriculture & Forestry and from an area golf course. The rates of appplication used on PEI golf courses should pose no significant environmental concern according to the information obtained by council.

Council, at its October meeting was given a through briefing on the status of municipal wastewater treatment on PEI. The efficiency of wastewater treatment at both major PEI municipalities is questionable at best. Council wrote to both cities suggesting that secondary treatment be implemented as soon as possible. Council was pleased that both municipalities responded in a very timely manner indicating clearly that they recognized the concerns and were in the process of developing plans to upgrade their respective wastewater treatment collection and treatment systems. No time table was given with regard to when the necessary upgrades might take place.

WASTE MANAGEMENT

Council was briefed at their December meeting by personnel from the Island Waste Management Corporation regarding their plans for the future management of waste streams on PEI. Council appreciated the presentation and was impressed with the level of careful planning that appears to be part of the future of waste management on PEI. Having said this, council is of the opinion that necessary changes in waste management policies and practises are too slow in coming . A major disappointment continues to be the delay in implementing Waste Watch Island wide. The implementation of the blue bag program in the greater Charlottetown area and West Prince represents only a small beginning. Government should indeed be embarrassed with their seeming failure to implement this very laudable waste management program in anything resembling a timely fashion.

The Island Waste Management Corporation should provide details on where and when they will

implement wastewatch. It would seem that, given the level of publicity and education that is required to successfully implement this program, the Corporation should be moving forward quickly with a strategy to educate Islanders on the wastewatch program.

EDUCATION

In the 1998 Environmental Advisory Council Annual Report it was noted that the Department of Education was working on developing an environmental component in all areas of the regular school curriculum. Council did suggest at that time that the simple inclusion of such material in the curriculum might well prove fruitless unless it was accompanied by an appropriate level of professional development for teachers. This type of specialized training is absolutely necessary if the quality of environmental education in our schools is to improve.

Regretfully council has seen little evidence that the Department of Education is indeed committed to the necessary professional development for our teachers.

Council would once again urge Government and in particular the Department of Education to commit the necessary resources to ensure that environmental education and outdoor recreation are adequately dealt with in the school system.

PUBLIC AWARENESS

The 1999 Environmental Awards were presented in five categories to recognize and honour citizens and associations for their special commitment to our Island environment. The awards were presented at Council's June meeting and the list of recipients follows.

Individual Citizen:	**Dennis Hopping**
Youth:	**Georgetown Environment Team**
Citizen Group:	**Bedeque Bay Environmental Management Association**
Education:	**Charlottetown Rural High School Envirothon Team**
Business:	**Printer Works**

The Environmental Advisory Council continued to be involved with public awareness programs in 1999. Members of Council judged in the Provincial Science Fair and seven prizes were

awarded to individual students and teams who best demonstrated the principle of environmental stewardship and sustainability. The list of winners follows.

1999 PEI PROVINCIAL SCIENCE FAIR
Award Recipents of the EAC Stewardship and Sustainability Awards

Projects which best promote the concepts of environmental stewardship and sustainability.

Senior Division:

First Place: Chisthelle Tiati/Marie Garneau
Francois-Buote
Project #303 - "*La Solution Miracle*"

Second Place: Miranda Holland/Heather Vought
Souris Regional High School
Project #308 - "*Deicers: Take Out the Slip & Give It Some Grip*!"

Intermediate Division:

First Place: Daniel MacFadyen/Kirk MacKinnon
Englewood School
Project #216 - "*Let It Rust And It Will Bust*"

Second Place: Miranda MacEwen/Holly Murphy
Grace Christian School
Project #238 - "*Oil Tanks: Let's Spill the News*!"

Third Place: Carla Buchanan/Anita MacKinnon
Hernewood Junior High School
Project #241 - "*Industrial Hemp*"

Junior Division:

First Place: Matthew Yates
Montague Consolidated School
Project #66 - "*Muddy Water Makeover*"

Second Place: Michael Minard
Ellerslie Elementary School
Project #14 - "*How is Water Purified?*"

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